

penitentiary institution into operation, they shall immediately appoint a keeper and twelve inspectors of the said penitentiary, the inspectors to continue in office until the next annual appointment shall take place; and the said keeper and inspectors shall proceed immediately to appoint proper assistants, procure materials, and prepare all things for the reception and management of criminals, according to the directions of this act; and the governor shall thereupon issue his proclamation, and cause the same to be published in such of the public news-papers as he may think proper, declaring the said penitentiary-house ready for the reception of criminals who may be condemned to work and labour therein, and in thirty days from the date of the said proclamation, this act, and every part thereof, shall commence and be in full force and effect, until which time it shall be and is hereby suspended.

And be it enacted, That all male criminals, who, before the commencement of this act, shall have been condemned to serve and labour on the public roads of Baltimore county, or in making, repairing or cleaning, the streets or basin of Baltimore-town, and whose time of service and labour is unexpired, shall, at the court of oyer and terminer and goal delivery for Baltimore county, next immediately after the said proclamation, be brought into the said court by the superintendent of the criminals, and may openly pray the court to commute the judgment severally pronounced against them to a confinement in the said penitentiary, according to the directions in this act contained, during the residue of the time for which such convict shall have been condemned to serve and labour, and upon such prayer being entered on record, the said court shall pronounce such commutation, and the same shall be recorded, and the prisoner shall then be sent to the penitentiary, and there detained for the residue of the time for which they were respectively condemned.

And be it enacted, That if any person shall hereafter be convicted of any crime committed before the passing of this act, he or she shall be sentenced to undergo such pains and punishment as by the laws now in force are prescribed and directed, unless such convict shall openly pray the court, before whom such offender shall be tried, that sentence may be pronounced agreeably to the provisions of this act for the offence, in which case the said court shall comply with the said prayer, and pass such sentence on such convict as they would have passed had the said offence been committed subsequent to the passing of this act.

An Act authorizing appropriations for the Penitentiary of this State.

BE it enacted, by the General Assembly of Maryland, That the governor and council shall be and they are hereby authorized, from time to time, to draw orders on the treasurer of the western shore for the amount of any stock of raw materials, provisions, working tools and implements, to be used for the purpose of employing the criminals confined in the penitentiary of this state, not exceeding two thousand dollars for one year ending the commencement of the operation of the act entitled, An act concerning crimes and punishments, and also for the amount of any physician's account, who may be called in to attend on the offenders confined therein, which the keeper and inspectors thereof shall report to the said governor and council to be necessary and proper, provided the governor and council shall deem such report or account to be reasonable and just; which orders the said treasurer is hereby required to pay out of any unappropriated money in the treasury.

2. And be it enacted, That the keeper of the penitentiary-house of this state shall receive, as a salary for his services, the sum of five hundred dollars annually, to be paid by the treasurer of the western shore in quarterly payments out of any unappropriated money in the treasury.

3. And be it enacted, That each assistant keeper of the said penitentiary-house, not exceeding five in number, shall receive as a salary for his services the sum of two hundred dollars annually, to be paid in quarterly payments out of any unappropriated money in the treasury.

4. And be it enacted, That this act, and every part thereof, be and the same is hereby suspended until the commencement of an act passed at this present session, entitled, An act concerning crimes and punishments, when the same shall commence and be in full force and operation, and shall continue for one year next thereafter, & until the end of the next session of assembly.

Foreign Intelligence.

VIENNA, DEC. 2.

THE count Androsfi, it is announced, will very soon arrive in this capital, in quality of ambassador from his majesty the emperor of the French near his majesty the emperor of Austria.

The French troops which occupy Steyer, St. Pölten, Wels, and Linz, are so crowded, that it is found impossible to furnish even the superior officers with separate lodgings. The regency distributes victuals to the soldiers, so that they have only occasion to require from the inhabitants on whom they are billeted, salt and vegetables.

SCHAFFHAUSEN, (Switz.) DEC. 4.

It is generally reported, that the late king of Sweden will shortly arrive in Switzerland with his family, and that he will fix his residence in the fine country of Grench, near to Mont, which a French merchant has lately purchased from the city of Berne.

FRANKFORT, DEC. 8.

Confiscations are at this time raising by draught amongst the inhabitants of our city, who have heretofore been exempted.

The Jews will be formed into battalions upon the same footing as in Holland. Until the present time, the individuals of this religion have here paid a certain sum of money, as a commutation for actual service. Their exemption has now ceased.

The passage of couriers through this city has been very frequent for some days past.

PARIS, DEC. 15.

UNITED STATES.

Extract from the summary of Mr. FORTANNE's speech to the Legislative Body, (of which he is President,) December 12. "In speaking of Spain and Portugal, the president mentioned an idea of great importance:—If these two states do not know how to preserve their possessions beyond the seas, the independence of the American colonies presents itself as a natural and desirable result. Thus England lost her power in the United States of America; and France, who so well founded her independence, will support her work—unless the United States get so entangled as to make a common cause with G. Britain."

DEC. 14.

Monday last the prince and princess of Neuchâtel and Wagram, had the honour of entertaining at their chateau at Grosbois, their majesties the emperor and empress, the king of Wurtemberg, the king and queen of Westphalia, and the king and queen of Naples. The prince Kourakin and admiral Fichtelkow, and a part of the court, were also invited.

IMPERIAL DIVORCE! CONSERVATIVE SENATE.

Sitting of the 16th, 1809.

It was moved to proceed immediately to vote by ballot for the adoption of the project.

The balloting was commenced. It resulted in favour of the project, agreeably to the number of votes demanded by the 56th article of the act of the constitution of the 4th of August, 1802. Its adoption was consequently announced by the prince arch-chancellor, who declared it to have become a *senatus consultum*, of the following tenor:—

Extract from the Register of the Conservative Senate, of Saturday, Dec. 8, 1809.

The Conservative Senate assembled to the number prescribed by the 90th article of the act of the constitution, of 13th December, 1799.

Having seen the act drawn up by the prince arch-chancellor of the empire, of which the following is the tenor:—

The year 1809, and 15th day of the month of December, at eleven o'clock in the evening, we, Jean Louis, King, Grand-master, prince arch-chancellor of the empire, duke of Parma, exercising the duties which are attributed to us by title 2, art. 14, of the statute of the imperial family, and in virtue of orders addressed to us by his majesty the emperor and king, in a sealed letter of that day's date, of which the following is the tenor:—

"His Majesty the Emperor and King condescended to address us in the following words:—

"My cousin, the prince arch-chancellor, I have forward I you a letter dated this day, in order you to repair to my chamber, in order to make known the resolution that I and the empress, my dear wife, have taken. I rejoice that the kings, queens and princesses, my brothers and sisters, my brothers-in-law and sisters-in-law, my step-daughter, and step-son, become my son by adoption, as well as my mother, are present, at what I have to make known to you.

"The policy of the monarchy, the interest and wants of my people, which have constantly guided all my actions, will that I leave to my children, inheritors of my love for

my people, the throne on which Providence has seated me. For several years I have lost all hopes of having children by my marriage with my well beloved wife, the empress Josephine; it is this which has led me to sacrifice the sweetest affections of my heart, to hearken to nothing but the welfare of the state, and to a dissolution of our marriage.

"Arrived at the age of 40 years, I hope to live long enough to raise up in my spirit and character, the children which it may please Providence to give me. God knows how much this resolution has cost my heart; but there is no sacrifice which is above my courage, when it is demonstrated to be useful to the welfare of France.

"It is necessary to add, that far from having ever given me any cause of complaint, on the contrary, I think it incumbent to praise the attachment and affection of my well beloved wife; she has embellished fifteen years of my life; the remembrance of it will ever be engraved in my heart. She was crowned with my hands; I wish her to retain the rank and title of empress, but above all, that she will never doubt my sentiments; and that she holds me always her best and dearest friend."

His majesty the emperor and king having finished his discourse, the empress queen spoke in the following words:

"With the permission of our august and dear husband, it is my duty to declare, that having lost all hopes of having children to satisfy the wants of the policy and interest of France, I am pleased to give him the greatest proof of attachment and devotedness which has ever been given on earth, I hold all his munificence, I was crowned by his hands, and from the height of the throne I have received nothing but testimonials of the affection and love of the French people.

"I must acknowledge these sentiments, consenting to the dissolution of a marriage which is henceforth an obstacle to the welfare of France, which deprives her of the happiness of being one day governed by the descendants of a great man so evidently raised up by Providence to efface the evils of a terrible revolution, and to re-establish the altar, the throne and the social order. But the dissolution of my marriage will in no way change the sentiments of my heart. The emperor will always have in me his best friend. I know how much this act, commanded by policy and to great interests, has rent asunder his heart; but we mutually glory in the sacrifice we make to the good of the country."

"Upon which their imperial and royal majesties having demanded of us the act of their respective declarations, even as of the mutual consent which they contain, and that their majesties give the effect of their will to the dissolution of their marriage, as also of the power which their majesties have conferred upon us, to pursue throughout whatever else may be needful, and to whom it may have appertained, yielding to the orders and requisitions of their majesties, we have given the said act, and prepared in consequence, the present process-verbal to serve and make valid even as of right; to which process-verbal their majesties have affixed their signatures, which after having been signed by the kings, queens, princesses and prince, present, was signed by us and countersigned by the secretary of state of the royal family, written with his own hand.

Done at the palace of the Thuilleries, the day, hour and year as above.

NAPOLÉON.
JOSEPHINE.

Madam Lewis, Jerome Napoleon, Joachim Napoleon, Eugene Napoleon, Julia, Hortensia, Catherine, Paulina, Caroline.

Cambaceres, Prince arch-chancellor.

Count Regnault, of St. John of Angely.

Having seen the project of the *senatus consultum* in the form prescribed by the 67th article of the act of the constitution of the 4th of August, 1802.

After having heard the orators of the council of state, and the report of the special commission appointed in the sitting of this day, upon the motives of the said project.

Its adoption having been resolved upon by the number of voices prescribed by the 50th article of the act of the constitution of the 4th of Aug. 1802, decrees:

Art. 1. The marriage contracted between the emperor Napoleon and the empress Josephine is dissolved.

Art. 2. The empress Josephine will preserve the title and rank of a crowned empress-queen.

Art. 3. Her dower is fixed at the annual income of two millions of francs, to be paid out of the state treasury.

Art. 4. All the provisions which shall have been made by the emperor in favour of the empress Josephine out of the funds of the civil list, shall be obligatory on his successors.

Art. 5. The present *senatus consultum* shall be transmitted by message to his imperial and royal majesty.

The president and secretaries.

(Signed) Cambaceres, prince arch-chancellor of the empire, president.

(Signed) Semonville, Bouronville, Secretaries.

Seen and sealed, The chancellor of state, (Signed) COUNT LAPLACE.

MADRID, NOV. 26.

The number of prisoners taken at Ocaña is more considerable than we at first imagined. They are bringing in every day more of them. Yesterday 16,200, arrived from four columns; this day 3000—we expect tomorrow between ten and 12,000—they came through the gate of Antoch, and fire was the walk of the Prado, where they are guarded carefully by the inhabitants of Madrid, whom curiosity acts in great numbers.

NOV. 27.

To-morrow the 50 pieces of cannon, 40,000 muskets, and the baggage taken from the enemy will arrive here. There were also great many carriages full of ladies who thought that they thought they could go from Ocaña to Madrid without being molested. On the 26th were satisfied with lightening their train a little, and sending them back to tell the junta the result of the battle.

LONDON, DEC. 4.

Within the last month, so great has been the number of vessels from Hamburg, and other parts of the Continent, which have entered the Thames, as to surpass any thing of the sort in the recollection of the oldest pilot. No custom-house officers or pilots can be found sufficient; the Pool was greatly affected. A reduction in prices of many commodities has already taken place; a pair of shoes, which months since cost 10s. was offered for 5s. The board of trade will keep up its price with intercourse is had with Russia.

The vicinity of Croydon, in Surrey, has been alarmed, for this fortnight past, by a human wretch, who dresses at night in a black mask, a dark coloured cloak and muffled boots with long laces. He is called a "made man." His practice is to attack all the women whom he meets. Having let the object pass, he turns round and seizes her by the shoulders, he shakes and pinches her in a violent manner. He concludes the brutal assault, by passing her clothes over her head and tearing her person with a corset. Sometimes his thrusts are applied to the face and inhuman purpose. Should he perceive any person coming to the assistance of his victim, he makes off and leaps over garden walls, although six feet high, with the greatest ease. By his strength and agility, he has hitherto evaded his pursuers. Upwards of fifty persons have been most frightfully treated by this monster; amongst whom Mrs. Wildgoose, the wife of a respectable gentleman at Croydon; she now lies dangerously ill from the treatment she lately received, on her return from a visit to her mother and the sister of the Hare and Hounds, a Wadding, whom he mistook for a woman, owing to the darkness of the night, and whom he caught hold of, and finding his mistress, threw the poor man into a deep ditch.

The inhabitants of Croydon are taking every means to discover the monster's retreat. Numerous parties were out last night in quest of him. The terror is so great among the females of the vicinity of Croydon, that a woman is to be seen out of doors after dusk.

DEC. 19.

A letter from Flushing, dated Dec. 10, for "I have to acquaint you that the whole of the troops in the Isle of Walcheren embarked on board the transports on Sunday last, except the rear guard; and on the following day, the dock heads, together with the whole of the basin, were blown up and destroyed. There were 2500 lbs. of powder, which completely upset the works to the foundation. The same day the dockyard and the houses were set fire to and totally destroyed after which the arsenal was set on fire.

Dutch papers up to the 15th inst. have received in town. They put us in possession of the result of the battle of Ocaña; but furnish few details of the engagement. The French state the loss of the Spaniards at 4000 left dead on the field of battle, and twenty thousand made prisoners. The action took place on the 10th inst. The French were commanded by Joseph Buonaparte in person, who had under him the marshal duke of Dalmatia.

La Mancha is not the only quarter in which success had attended the arms of the enemy. A corps under gen. Bonnet has defeated gen. Marqueto, with considerable loss, and recaptured St. Andero.

The emperor Francis has returned to his capital, and the Archduke Charles was expected to arrive in a few days.

The Dutch papers contain a long account of the fête given to Buonaparte by the city of Paris, at the Hotel de Ville, on the 20th inst. Besides their imperial majesties of France, there were present at this entertainment no fewer than nine crowned heads of Napoleon's creation.

As soon as the intelligence of the defeat of Ocaña reached Seville, the Marquis de la Romana, with a detachment of from 8 to 10,000 men, left that city to proceed to La Carolina, to reinforce general Arce. Several officers have been executed at Seville for treason.